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### REMARKS/ARGUMENTS

Claims 10-16 and 18-22 are pending in this application. By this amendment, Applicants amend claim 16.

Applicants appreciate the Examiner's indication that claims 10-15 and 18-22 are allowed.

Claim 16 was rejected under 35 U.S.C. § 102(e) as being anticipated by Hori et al. (U.S. 6,552,475). Applicants respectfully traverse the rejection of claim 16.

Claim 16 has been amended to recite:

A surface acoustic wave apparatus, comprising:  
a piezoelectric substrate;  
**at least one electrode for a surface acoustic wave element disposed directly on the piezoelectric substrate;**  
**an electrode pad disposed directly on the piezoelectric substrate** and arranged to be joined with a bump during a bump bonding process performed by a flip chip bonding system; and  
a wiring electrode for electrically connecting the electrode pad and the electrode for the surface acoustic wave element, wherein:  
the electrode pad includes a first electrode layer disposed on the piezoelectric substrate and a second electrode layer laminated on the first electrode layer;  
the second electrode layer and the wiring electrode are integral with each other and include a common conductive film;  
the electrode for the surface acoustic wave element and the first electrode layer of the electrode pad, to be connected with the electrode for the surface acoustic wave element, are arranged in contact with each other; and  
**an upper surface of the electrode for the surface acoustic wave device is disposed at a height that is different than a height at which an upper surface of the first electrode layer is disposed.**  
(emphasis added)

Support for the amendment to Claim 16 is clearly provided in Figs. 16A-20 of the originally filed application, which shows the features of at least one electrode 52 for a surface acoustic wave element disposed directly on the piezoelectric substrate 41, an electrode pad 48 disposed directly on the piezoelectric substrate 41, and an upper surface of the electrode 52 for the surface acoustic wave device is disposed at a height that is different than a height at which an upper surface of the first electrode layer 48a

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is disposed.

The Examiner alleged that Hori et al. teaches all of the features recited in Applicants' claim 16.

Applicants' claim 16 has been amended to recite the features of "at least one electrode for a surface acoustic wave element disposed directly on the piezoelectric substrate" and "an electrode pad disposed directly on the piezoelectric substrate."

In contrast to Applicants' claim 16, as clearly seen in Figs. 9A and 9B of Hori et al., elements 8 of Hori et al., which the Examiner alleged correspond to the electrode pad recited in claim 16, are disposed on top of elements 3c and 3d, which the Examiner alleged correspond to at least one electrode recited in Applicants' claim 16. In other words, elements 8 of Hori et al. are disposed directly on elements 3c and 3d, and are clearly not disposed directly on the piezoelectric substrate 2. Thus, Hori et al. certainly fails to teach or suggest the features of "at least one electrode for a surface acoustic wave element disposed directly on the piezoelectric substrate" and "an electrode pad disposed directly on the piezoelectric substrate" as recited in Applicants' claim 16.

Accordingly, Applicants respectfully submit that Hori et al. fails to teach or suggest the unique combination and arrangement of elements recited in Applicants' claim 16.

Accordingly, Applicants respectfully request reconsideration and withdrawal of the rejection of claim 16 under 35 U.S.C. § 102(e) as being anticipated by Hori et al.

In view of the foregoing amendments and remarks, Applicants respectfully submit that Claim 16 is allowable. Claims 10-15 and 18-22 are allowed, as indicated by the Examiner.

In view of the foregoing amendments and remarks, Applicants respectfully submit that this application is in condition for allowance. Favorable consideration and prompt allowance are solicited.

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The Commissioner is authorized to charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 50-1353.

Respectfully submitted,

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